

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, et. al.

*Plaintiffs,*

v.

Case No. 1:23-cv-10511-WGY

JETBLUE AIRWAYS CORPORATION and  
SPIRIT AIRLINES, INC.,

*Defendants.*

GABRIEL GARAVANIAN, et al.

*Plaintiffs,*

v.

Case No. 1:23-cv-10678-WGY

JETBLUE AIRWAYS CORPORATION and  
SPIRIT AIRLINES, INC.,

*Defendants.*

**DECLARATION OF ROSE NEALE**

ROSE NEALE, declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am over twenty-one years of age, I have personal knowledge of the facts stated herein, and I am in all respects competent to make this Declaration. These facts are based on my personal knowledge.
2. I am employed as General Counsel and Senior Vice President at Sun Country, Inc. (“Sun Country”), and I have served in that role since July 2022. In this capacity I have full and regular access to Sun Country’s confidential proprietary and competitively sensitive business information.

3. Non-party Sun Country Airlines Holdings, Inc. is the parent company of Non-party Sun Country, Inc.
4. I submit this declaration in support of Non-party Sun Country's Unopposed Motion to Impound Confidential Information for an order to place under seal portions of ten (10) documents produced by Sun Country in the above-captioned case which the parties have informed Sun Country they may introduce at trial. I have reviewed the highly confidential information in the documents that Sun Country has moved the Court to seal through targeted redactions.
5. Sun Country asks the Court to keep sealed and prevent from being disclosed to the public at the trial Sun Country's confidential information contained in the following ten trial exhibits, as identified in Exhibit A to Sun Country's Unopposed Motion to Impound:

Government Action Plaintiffs' Exhibits: SUN-COUNTRY-000002; SUN-COUNTRY-000030; SUN-COUNTRY-000050; SUN-COUNTRY-DOJ-000033; SUN-COUNTRY-DOJ-000041; SUN-COUNTRY-DOJ-001355; and Letter from T. Williams to J. DiMarco re: Civil Investigative Demand to Sun Country Airlines (Nov. 28, 2022).

Defendants' Exhibits: SUN-COUNTRY-000002; SUN-COUNTRY-000030; SUN-COUNTRY-DOJ-001196; SUN-COUNTRY-DOJ-001337; and Letter from T. Williams to J. DiMarco re: Civil Investigative Demand to Sun Country Airlines (Aug. 31, 2022).

6. Each of these documents contain Sun Country's confidential information. Based on my knowledge of the highly confidential information in these materials, I

know that Sun Country has taken reasonable steps to maintain the secrecy of this information.

7. The documents consist of internal, non-public Sun Country commercial strategy documents, business plans, and presentations to Sun Country's Board of Directors which include topics related to capacity and route planning, fleet planning, sales, corporate strategy, and revenue, cost, and other financial information.
8. Each of the documents identified by Sun Country in Exhibit A to its Unopposed Motion to Impound are from 2021 to 2023.
9. The competitively and commercially sensitive information in these documents is sufficiently valuable to afford a potential or actual advantage to others. Their disclosure to existing or potential business competitors, vendors, or other third parties would cause a material injury to Sun Country's commercial, competitive, or financial interests. The disclosure of these documents would likely result in serious competitive injury to Sun Country.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

EXECUTED this 29th day of September, 2023.

*/s/ Rose Neale*  
Rose Neale

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on September 29, 2023.

*/s/ Marissa F. Mugan*  
Marissa F. Mugan